HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No.465 of 2007

Between:

The General Manager, District Industries Centre, Nizamabad and another

... Appellants

And

M/s. Sukhjit Starch Mills Limited, rep., by its Vice President, Mr. Rajeev Puri, Mubarak Nagar, Nizamabad – 503 003 and two others

... Respondents

::JUDGMENT::

Counsel for the appellant : Government Pleader for Industries

Counsel for respondent No.1 : Shri M.S. Ramachandra Rao

Counsel for respondent No.2 : Shri V.V.N. Narayana Rao

June 07, 2007

Per G.S. Singhvi, CJ

This appeal by General Manager, District Industries Centre, Nizamabad and another is directed against order dated 30-6-2006 passed by the learned Single Judge in Writ Petition No. 1954 of 2005, whereby he quashed the action of Agricultural Market

Committee, Nizamabad to demand market fee from the writ petitioner (respondent No.1 herein).

We have heard learned counsel for the parties and perused the record. Learned counsel for respondent No.1 pointed out that Writ Appeal No. 102 of 2007 preferred by the Agricultural Market Committee, Nizamabad against the order which is subject matter of challenge in this appeal has already been dismissed. This has not been controverted by the learned Government Pleader for Industries. He, however, argued that the recommendations made by the District Level Committee in its meeting held on 09.05.2005 could not be made basis for granting relief to respondent No.1 in terms of G.O.Ms. No. 333 dated 14.11.2003.

We have considered the submission of the learned Government Pleader, but have not felt impressed. The question whether respondent No.1 is entitled to avail benefit in terms of G.O.Ms.No.333 dated 14.11.2003 was considered in Writ Appeal No.102 of 2007 and answered in affirmative. Therefore, we do not find any valid ground to entertain this appeal.

With the above observation, the appeal is dismissed. The detailed reasons recorded in our order dated 1-2-2007 passed in Writ Appeal No. 102 of 2007 shall be read as part of this order.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

June 08, 2007
ks